

APPLICATION

OF

NORMAN M. McINNIS, JR., ET AL., AS
TRUSTEES OF BACON-McMILLAN VENEER
COMPANY, A DISSOLVED ALABAMA
CORPORATION

IN THE CIRCUIT COURT OF BALDWIN
COUNTY, ALABAMA

AT LAW NO.

1384

FINAL ORDER

On an application heretofore filed on August 2, 1949, by Norman M. McInnis, Jr., W. W. Killcreas, Ben F. Hastie and Raymond N. McMillan praying for the issuance of an order continuing them as the surviving Trustees of Bacon-McMillan Veneer Company, a dissolved Corporation, beyond a period of five years after the dissolution of the said Corporation, and it appearing to the satisfaction of this Court that Bacon-McMillan Veneer Company was an Alabama Corporation with its certificate of incorporation recorded in Mobile County, Alabama, but at the time of its dissolution and for a long period prior thereto it had its principal place of business at Stockton, Baldwin County, Alabama, that the said Corporation was dissolved by the consent of all of its stockholders in pursuance to Section 104, Title 10, of the Code of Alabama of 1940 by a certificate to that effect dated September 15, 1944, and recorded September 15, 1944, in Incorporation Book 15, page 130, of the Probate Court Records of Mobile County, Alabama, that one of the former Directors and a former statutory Trustee of the said dissolved Corporation, John McMillan, has since died and the petitioners are the surviving Trustees of the said dissolved Corporation, and that there are presently pending in the Tax Court of the United States certain claims in favor of and/or against the said dissolved Corporation and its statutory Trustees involving income taxes and/or excess profit taxes, and that for the proper adjudication of the said claims and/or counter claims it will be proper and necessary that the said surviving Trustees be continued as Trustees for a period of time beyond the statutory five year period after dissolution as may be necessary for the proper adjudication of the said claims and/or counter claims and as provided for in Section 110, Title 10, of the Code of Alabama of 1940.

NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED that Norman M. McImis, Jr., W. W. Killcreas, Ben F. Hastie, and Raymond N. McMillan, be and are hereby continued as the surviving Trustees of Bacon-McMillan Veneer Company, a dissolved Alabama Corporation, for such length of time beyond five years after the dissolution of the Corporation on, to-wit, September 15, 1944, as may be necessary for the proper adjudication of any and all tax claims and/or counter claims involving income taxes and/or excess profit taxes now pending in the Tax Court of the United States.

Telfair G. Mashburn, Jr.
JUDGE, CIRCUIT COURT OF BALDWIN COUNTY
ALABAMA

Recorded

Filed 8-2-49
Alice J. Neuch
Clerk.

APPLICATION

OF

NORMAN M. McINNIS, JR., ET AL,
AS TRUSTEES OF BACON-McMILLAN VENEER
COMPANY, A DISSOLVED ALABAMA CORPORATION

IN THE CIRCUIT COURT OF BALDWIN
COUNTY, ALABAMA

AT LAW NO. _____

TO THE HONORABLE JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA

Your petitioners, Norman M. McInnis, Jr., W. W. Killcreas, Ben F. Eastie, and Raymond N. McMillan, all of Stockton, Baldwin County, Alabama, represent unto Your Honorable Court as follows:

1. That Bacon-McMillan Veneer Company was a corporation organized under the laws of the State of Alabama with its certificate of incorporation filed in Mobile County, Alabama, but at the time of its dissolution as herein stated and for a long time prior thereto it had its principal place of business at Stockton, Baldwin County, Alabama, that by the consent of all of its stockholders and pursuant to Section 104, Title 10, of the Code of Alabama of 1940, the said corporation was dissolved by a certificate dated September 15, 1944, and recorded September 15, 1944, in Incorporation Book 13, page 130, of the Probate Court Records of Mobile County, Alabama;

2. That at the time of the dissolution of the said corporation as aforesaid John McMillan, Norman M. McInnis, Jr., W. W. Killcreas, Ben F. Eastie and Raymond N. McMillan were the Directors of the said Corporation and on dissolution became the statutory trustees charged with the duty and responsibility of winding up the affairs of the said Corporation; that John McMillan has subsequently died and your petitioners constitute the surviving former Directors and Trustees of this said dissolved corporation;

3. That there is presently pending in the Tax Court of the United States claims in favor of or against the said dissolved corporation involving income and/or excess profit taxes, and that for the proper adjudication of the said claims and/or counter claims it will be necessary for the corporate existence to be continued beyond the statutory five year period as provided by Section 110, Title 10, of the Code of Alabama of 1940 and for such length of

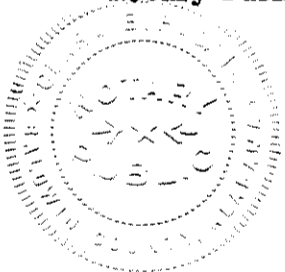
time beyond such period as may be necessary or proper for the adjudication of those said claims;

WHEREFORE, your petitioners, Norman M. McInnis, Jr., W. W. Killcreas, Ben F. Hastie and Raymond N. McMillan, respectfully pray that an order be entered continuing them as the surviving Trustees of Bacon-McMillan Veneer Company, a dissolved Alabama Corporation, for such length of time beyond five years after the dissolution of the said Corporation as may be necessary for the proper adjudication of any and all tax claims and/or counter claims involving income taxes and/or excess profit taxes now pending in the Tax Court of the United States.

Subscribed and sworn to before
me this the 1st day of
August, 1949.

Ben F. Hastie
W. W. Killcreas
Raymond N. McMillan
Norman M. McInnis, Jr.

Clara B. Hastie
Notary Public, Baldwin County, Ala.



701384

Application
of
Norman M. Mc
Crisp et al. as
Trustees of Bremer
McMillan Kinner
Co., a Dissolved
Ala. Corporation.

Filed 8-2-49
Alice French
Clerk.

MELL A. FRAZER
ATTORNEY AT LAW
VAN ANTWERP BUILDING
MOBILE, ALABAMA